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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,227

11/25/2003

Yutaka Shirae

4344

23364

7590

11/01/2004

BACON & THOMAS, PLLC  
625 SLATERS LANE  
FOURTH FLOOR  
ALEXANDRIA, VA 22314

EXAMINER

NASRI, JAVAID H


ART UNIT

PAPER NUMBER

2839

DATE MAILED: 11/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/720,227	<b>Applicant(s)</b> SHIRAE ET AL.	
	<b>Examiner</b> Javaid Nasri	<b>Art Unit</b> 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/25/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki (5,891,591).

Suzuki discloses, **for claim 1**, a battery connector having a meandering contact member (20) in which a plurality of plate piece portions are continuously integrated with one another through one or more arcuate flexible portions (see marked figure, attached); a mountain-like projection which is formed in one of the plate piece portions that is on one end side of the contact member, and in which a top is formed as a contact (21a) that is to be in elastic contact with a battery terminal; a housing (10) which houses the contact member; an opening (11a) which is formed in the housing, and through which the mountain-like projection is projected (see marked figure, attached); an arcuate portion (see marked figure, attached) which is formed in the mountain-like projection to be bent toward an inner side of the mountain-like projection, and an engagement piece portion (21b) which is laterally projected from an end portion of the arcuate portion; and an engagement face (see marked figure, attached) which is formed by a rear face of a peripheral portion of the opening, and with which the engagement piece portion is in elastic contact and engaged under a preload, whereby a degree of projection of the mountain-like projection from the opening is wherein restricted, the battery connector further has a wall face of the housing that

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is to confront a board face of a circuit board on which the housing is to be mounted (see col. 2, lines 19-23) and that opposes the arcuate portion of the mountain-like projection, and the engagement piece portion is displaced in a direction along which the board face of the circuit board and the wall face of the housing confront each other, to be in sliding contact with the engagement face, and has a shape which is free from an angular edge that, when the engagement piece portion is in sliding contact with the engagement face, shaves the engagement face (note: since the structure of the invention and the reference is the same, therefore it is inherent that the functional limitations are there).

#### *Allowable Subject Matter*

3. Claims 3-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **REASONS FOR ALLOWANCE**

4. The following is an examiner's statement of reasons for allowance:

The reason for allowance of the claims is the inclusion of the limitation,

- a) **For claim 2**, none of the prior art teaches or suggest, alone or in combination a projection piece which, in each of sides of a vertical width direction of the planar portion, is elongated through an arcuate bent portion in a direction away from the engagement face, in combination with other limitations in the claim which is not found in the prior art reference of record.

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- b) **For claim 3**, none of the prior art teaches or suggest, alone or in combination a swollen portion which is formed on the planar portion, and which having an arcuate face that is to butt against the engagement face to hold the planar portion to a position separated from the engagement face, in combination with other limitations in the claim which is not found in the prior art reference of record.
- c) **For claim 4**, none of the prior art teaches or suggest, alone or in combination a portion that is opposed to a wall face of the housing to which the arcuate portion of the mountain-like projection is opposed is formed as an aperture, and the aperture is closed by the circuit board on which the housing is to be placed, in combination with other limitations in the claim which is not found in the prior art reference of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Contact***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any correspondence to this action may be mailed to:**

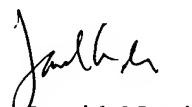
**Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450**

For additional information regarding this new address, which was effective May 1, 2003, see *Correspondence with the United States Patent and Trademark Office*, 68 Fed. Reg. 14332 (March 25, 2003).

**Or faxed to:** 703-308-7722 or 308-7724 (informal or draft communications should be clearly labeled "PROPOSED" or "DRAFT")

**Hand-delivered responses should be brought to:**

**Crystal Plaza 4, Fourth Floor (receptionist)  
2201 South Clark Place, Arlington, Virginia**

  
Javaid Nasri

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Primary Examiner  
Art Unit 2839

JN/

jhn

October 28, 2004